



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, NOVEMBER 9, 2000**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, November 9, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Rev. Kennedy Young, Pastor, Olivet Baptist Church

Mayor Watson called the meeting to order at 10:44 a.m.

1. Approval of minutes for regular meeting of November 2, 2000 and Special Called Meetings of October 2, 2000 and October 30, 2000,
The minutes for the regular meeting of November 2, 2000 and Special Called Meetings of October 2, 2000 and October 30, 2000 were approved on Council Member Alvarez' motion, Mayor Watson's second by a 5-0 vote. Council Members Slusher and Thomas were off the dais.

Item 2 was a briefing.

Item 3 was an Executive Session item.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 5-0 vote. Council Members Slusher and Thomas were off the dais.

4. Approve the issuance of a Letter of Intent and a rebate in the amount of \$45,900 to Westwood Residential Company for the installation of high-efficiency air conditioners at the Montecito Apartments Complex. Energy improvements qualifying for this rebate will save an estimated 163 kilowatts at a program cost of \$281 per kilowatt. Each high-efficiency air conditioning will save the residents between \$70 and \$135 per cooling season in energy costs. The comparable cost of a gas turbine is \$1,329 kW, including fuel, operation, and maintenance. (Funding is available in the 2000-2001 Approved Operating Budget of the Conservation Rebates and Incentives Fund.) (Recommended by Electric Utility Commission)
Resolution No. 001109-04 was approved.

5. Approve a resolution authorizing execution of a lease agreement with Travis County Emergency Services District #12, for a 2.0008 acre tract owned by the City of Austin between the cities of Manor and Webberville on FM 969, for the construction of a fire station to serve the surrounding area for an annual lease amount of \$1 per year for 25 years. (Recommended by Electric Utility Commission)

Resolution No. 001109-05 was approved.

6. Approve a resolution authorizing the issuance of a rebate in the amount of \$100,000 to the Internal Revenue Service Center for the installation of high-efficiency HVAC equipment and lighting upgrades at their Service Center located at 3651 S. IH 35 Austin, Texas. Energy improvements qualifying for this rebate will save an estimated 627 kilowatts at a program cost of \$159.49 per kilowatt saved. The comparable cost of a gas turbine is \$1,329 kW, including fuel, operation, and maintenance. (Funding is available in the 2000-2001 Approved Operating Budget of the Conservation Rebates and Incentives Fund.) (Recommended by Electric Utility Commission)

Resolution No. 001109-06 was approved.

Items 7 through 8 were pulled for discussion.

9. C14-00-2053 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3406 Manchaca Road Avenue from SF-3, Family Residence district zoning to MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay district zoning with conditions. First reading on August 31, 2000; Vote: 6-0, Watson off the dais. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Property Owner and Applicant: Arcadia Development (William Gietema). Agent: LZT Architects (Herman Thun). City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed until December 7, 2000 at the applicant's request.

10. Approve a resolution authorizing a ground surface license for use of 11621 ½ B Tallow Field Way by VoiceStream PCS II Corporation. (The amount of \$4,000 will be received by the General Fund)

Resolution No. 001109-10 was approved.

11. Approve a resolution authorizing execution of a sixty-month lease renewal for 8,000 square feet of warehouse and office space located at 4122 Todd Lane, from MINA PARVEN, Austin, Texas, for the Health and Human Services Department Vector Control Program, in an amount not to exceed \$292,800. (Funding in the amount of \$41,040 was included in the Fiscal Year 2000-2001 Operating Budget of the Health and Human Services Department. Funding for the remaining fifty-one months of the original contract period is contingent upon available funding in future budgets.)

Resolution No. 001109-11 was approved.

12. Approve an ordinance authorizing acceptance of an additional \$119,211 in grant funds from the Texas Workforce Commission for the Certification Funds grant program; amend Ordinance No. 000912-01, the 2000-2001 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$119,211 in grant funds for a new total grant amount of \$819,211 for the Health and Human Services Department special revenue fund. (Receipt in the amount of \$119,211 from the Texas Workforce Commission to the Health and Human Services Special Revenue Fund (Certification Title IV-A). (Related to Item No. 13)

Ordinance No. 001109-12 was approved.

13. Approve a resolution authorizing execution of an agreement with the TEXAS WORKFORCE COMMISSION (TWC), Austin, Texas, and CAPITAL AREA WORKFORCE DEVELOPMENT

BOARD (CAWDB), Austin, Texas, for the certification of City of Austin Fiscal Year 2000 child care and child care related expenditures in an estimated amount of \$500,000; the receipt of a grant of federal matching share funds of an estimated \$306,800; and a transfer to the CAWDB, for the purchase of child care services, in an amount not to exceed \$139,055. (Funding is available in the Health and Human Services Department's 1999-2000 Certification (Title IV-A At-Risk Child Care) Fund. There is no unanticipated fiscal impact. (Related to Item No. 12)

Resolution No. 001109-13 was approved.

14. Approve an ordinance to consider extending the Drainage Fee exemption for religious organizations providing housing for the homeless.

Ordinance No. 001109-14 was approved.

Items 15 through 16 were pulled for discussion.

17. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the installation of a new irrigation system and the construction and resurfacing of asphalt areas at the Lions Municipal Golf Course, in an amount not to exceed \$1,234,992, and a contingency fund not to exceed \$123,499.20, for a total contract amount not to exceed \$1,358,491.20. (Funding is available in the 2000-2001 Capital Budget of the Parks and Recreation Department.) Lowest of three bids received. 3.57% MBE, 10.60% WBE Subcontracting participation.

Resolution No. 001109-17 was approved.

18. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with CARTER DESIGN ASSOCIATES (MBE/FB), Austin, Texas, for architectural design and construction phase services for the Carver Museum & Cultural Center and Carver Branch Library Expansion Projects, in an amount not to exceed \$894,000, for a total contract amount not to exceed \$985,000. (Funding in the amount of \$727,000 is available in the Fiscal Year 2000-2001 Capital Budget of the Parks & Recreation Department; \$167,000 is available in the Fiscal Year 2000-2001 Capital Budget of the Library Department.) 24.45% MBE Prime; 13.75% MBE and 13.99% WBE subcontracting participation.

Resolution No. 001109-18 was approved.

19. Set public hearings for the full purpose annexation of the 140 acre Brandt Crossing Tract, located in eastern Travis County approximately .5 miles east of the intersection of IH-35 and E. Slaughter Lane. (Suggested Dates and Times: December 7, 2000, at 6 p.m., Town Lake Center Assembly Room, 721 Barton Springs Road. December 14, 2000 at 6 p.m., Lower Colorado River Authority Hancock Building.)

Resolution No. 001109-19 was approved.

Item 20 was pulled for discussion.

21. Approve a resolution authorizing negotiation and execution of professional services agreements with the following five firms: JASTER-QUINTANILLA & ASSOCIATES, INC. (MBE/MH), Austin, Texas; FRANK LAM & ASSOCIATES, INC. (MBE/MA), Austin, Texas; DATUM ENGINEERS, INC., Austin, Texas; ENCOTECH ENGINEERING CONSULTANTS, INC. (MBE/MA), Austin, Texas; and STEINMAN LUEVANO STRUCTURES (MBE/MH), Austin, Texas, for structural engineering services for City of Austin Capital Improvement Program projects for a period of approximately two years, or until financial authorization is expended, each agreement in an amount not to exceed \$500,000, with a total amount of the five contracts not to exceed \$500,000 (estimated approximately \$100,000 for each firm). (Funding in the amount of \$500,000 is available in the Capital and/or Operating Budgets of the Department of Public Works

and Transportation and various other departments for which services are required.) Jaster-Quintanilla & Associates, Inc. (MBE/MH) – 73% MBE Prime; 8% MBE and 19% WBE subconsultant participation. Frank Lam & Associates, Inc. (MBE/MA) – 50% MBE Prime; 30 % MBE and 20% WBE subconsultant participation. Datum Engineers, Inc. – 7.6% MBE and 18.2% WBE subconsultant participation. Encotech Engineering Consultants, Inc. (MBE/MA) – 74.8% MBE Prime; 7% MBE and 18.2% WBE subconsultant participation. Steinman Luevano Structures (MBE/MH) – 75% MBE Prime; 6.1% MBE and 18.9% WBE subconsultant participation.

Resolution No. 001109-21 was approved.

Item 22 was pulled for discussion.

23. Approve a resolution authorizing execution of a construction contract with MAC, INC., Austin, Texas, for aircraft fuel facility parking expansion at Austin Bergstrom International Airport, in an amount not to exceed \$159,000. (Funding was included in the Fiscal Year 2000-2001 Capital Budget of the Aviation Department.) Lowest of two bids received. 9.43% MBE and 0.76% WBE subcontracting participation.

Resolution No. 001109-23 was approved.

24. Approve a resolution authorizing execution of a 12-month supply agreement with AMERICAN CORPORATE SERVICES, Round Rock, Texas, for the purchase of pre-printed case file folders for Municipal Court in an amount not to exceed \$92,700, with two 12-month extension options in an amount not to exceed \$92,700 per extension for a total contract amount not to exceed \$278,100. (Funding in the amount of \$84,975 is available in the 2000-2001 Operating Budget of the Municipal Court. Funding for the remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. *No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.* The recommended vendor will use their own workforce.

Resolution No. 001109-24 was approved.

25. Approve a resolution authorizing execution of a 12-month contract with the STATE OF TEXAS with GTE MOBILNET, Austin, Texas, for cellular phone airtime and services for 181 cellular phones used by the Austin Police Department in an amount not to exceed \$70,000, with four 12-month extensions options in an amount not to exceed \$70,000 per extension, for a total contract amount not to exceed \$350,000. (Funding in the amount of \$70,000 was included in the 2000-2001 Operating Budget of the Austin Police Department. Funding for the extension options will be contingent upon available funding in future budgets.)

Resolution No. 001109-25 was approved.

26. Approve a resolution authorizing execution of a contract through the State of Texas Cooperative Purchasing Program with HAWORTH, INC., Holland, Michigan, for the purchase and installation of modular furniture for reconfiguration of the offices for Department of Public Works and Transportation, in the amount of \$569,557.98. (Funding was included in the 2000-2001 Operating Budget of the Capital Projects Management Fund in the Department of Public Works and Transportation.)

Resolution No. 001109-26 was approved.

27. Approve a resolution authorizing execution of a 60-month lease agreement with Xerox Corporation, Austin, Texas, for a Xerox Docucolor 12-fiery X12 copier and printer, including maintenance services and network analyst support for the City of Austin's Small Business Assistance Center in an amount not to exceed \$78,430.20. (Funding in the amount of \$13,070.70 is available in the 26th Year CDBG Fund for the Department of Small and Minority Business

Resources, Small Business Assistance Center. Funding for the remaining 50 months of the contract period is contingent upon available funding in future budgets.) Low bidder/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 001109-27 was approved.

28. Approve a resolution authorizing execution of a 12-month service agreement with AMERIPRIDE LINEN & APPAREL, Corpus Christi, Texas, for uniforms rental services for the Solid Waste Services Department (SWS) in an amount not to exceed \$85,185.28, with three 12-month extension options in an amount not to exceed \$85,185.28 per extension, for a total contract amount not to exceed \$340,741.12. (Funding in the amount of \$78,086.47 was included in the 2000-2001 Operating Budget of the Solid Waste Services Department. Funding for the remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the MBE/WBE Ordinance. This is a service that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 001109-28 was approved.

29. Approve a resolution authorizing execution of a contract with CELTEX INDUSTRIES, Celeste, Texas, for the purchase of valves and valve actuators to be used in the Decker Creek Power Station Boiler Control System Upgrade in an amount of \$66,595. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) Low bid/three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturing. (Recommended by Electric Utility Commission)

Resolution No. 001109-29 was approved.

30. Approve a resolution authorizing execution of four contract with TYPE K DAMPER DRIVERS, Dallas, Texas, ROSEMOUNT, INC., Chanhassen, MN, PUFFER SWEIVEN, New Braunfels, Texas, ITT INDUSTRIES, Lancaster, Pa., for the purchase of instrumentation equipment to be used in the Decker Creek Power Station Boiler Control System Upgrade in an amount of \$134,871, \$95,015, \$74,164, and \$125,392 respectively. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) Low bids/six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 001109-30 was approved.

Item 31 was pulled for discussion.

32. Approve a resolution authorizing execution of a 12-month supply agreement with MILLER UNIFORMS & EMBLEMS, Austin, Texas, to provide 100% cotton khaki work shirts in an amount not to exceed \$70,185 with two 12-month extension options in an amount not to exceed \$70,185 per extension for a total contract amount not to exceed \$210,555. (Funding in the amount of \$58,487 was included in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining two months of the contract period and the extension options is contingent upon available funding in future budgets.) Sole bid. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This item will be purchased directly

from a major distributor, no subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. (Recommended by Electric Utility Commission)

Resolution No. 001109-32 was approved.

33. Approve a resolution authorizing execution of a 12-month supply agreement with SCHWEITZER ENGINEERING LABORATORIES, INC., Houston, Texas, for the purchase of various types of relay communication equipment in an amount not to exceed \$408,100 with three 12-month extension options in an amount not to exceed \$408,100 per extension for a total contract amount not to exceed \$1,632,400. (Funding in the amount of \$340,083 is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department. Funding for the remaining two months of the contract period and the extension options is contingent upon available funding in future budgets.) Sole bid. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturing. (Recommended by Electric Utility Commission)
- Resolution No. 001109-33 was approved.**

34. Approve a resolution authorizing execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of six 3-phase distribution reclosers in an amount of \$132,528. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)
- Resolution No. 001109-34 was approved.**

Item 35 through 37 were pulled for discussion.

38. Approve a resolution authorizing execution of Amendment No. 6 to the Contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, Texas, for the purchase of Oracle software, to increase the amount of the second extension option, in an amount not to exceed \$1,113,630, and decrease the amount of the third extension option in an amount not to exceed \$1,113,630, for a total contract amount not to exceed \$7,172,468. (There is no additional funding needed.)
- Resolution No. 001109-38 was approved.**
39. Approve a resolution authorizing execution of a 12-month supply agreement with NEW YORK CLOTHIERS, Waco, Texas, for the purchase of shirts and logo application services in an amount not to exceed \$51,750, with two 12-month extension options in the amount not to exceed \$51,750 per extension, for a total contract amount not to exceed \$155,750. (Funding in the amount of \$47,438 was included in the 2000-2001 Operating Budget for various City departments. Funding for the remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the MBE/WBE Ordinance. This is a commodity that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation. (Recommended by Electric Utility Commission)
- Resolution No. 001109-39 was approved.**
40. Set a public hearing on the Austin Downtown Public Improvement District (PID) 2001 assessments. (The proposed 2001 assessment rate at \$0.10/\$100 valuation is estimated to produce \$1,303,757 at a 96% collection rate.) (Suggested Date and Time: December 7, 2000 at 6 p.m.)
- Resolution No. 001109-40 was approved.**
41. Approve the Downtown Austin Alliance Service Plan and Budget for 2001-2002. (The Downtown Austin Alliance submitted a 2001-2002 budget for the PID in the amount of \$1,446,521. This will

be funded through \$1,303,757 in 2001 assessments (at 96% collection rate), \$47,903 from interest accrued in the PID Account; \$44,861 in non-appropriated assessments from 2000 and \$150,000 City of Austin annual contribution (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water & Wastewater Utility Fund). Appropriation of the \$1,446,521 in the Redevelopment Services Department Special Revenue Fund will require City Council authorization, and possible adjustment, after the assessment roll hearing on December 7, 2000.) (Related items: Assessment Rate/Set Public hearing.)

Resolution No. 001109-41 was approved.

- 42. Approve assessment rate and proposed 2001 assessment roll for the Austin Downtown Public Improvement District (PID). (The 2001 assessment rate of \$0.10/\$100 valuation is estimated to produce \$1,303,757 at a 96% collection rate.) (Related Items: Set public hearing; approve DAA Service Plan and Budget.)

Ordinance No. 001109-42 was approved.

- 43. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the relocation of existing water facilities as part of the Drainage Improvements on Loop 1 at Parmer Lane, in the amount of \$99,388.80. (Funding is available in the 2000-2001 Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 001109-43 was approved.

- 44. Approve a resolution authorizing negotiation and execution of a professional services agreement with PARSONS ENGINEERING SCIENCE, INC., Austin, Texas, for providing engineering services for the Downtown Redevelopment Master Plan for Wastewater Service, in an amount not to exceed \$500,000. (Funding is available in the Approved Fiscal Year 1995-1996 CIP budget of the Water and Wastewater Utility) (Recommended by Water and Wastewater Commission)

Resolution No. 001109-44 was approved.

Item 45 was pulled for discussion.

Items 46 through 47 were citizen communications.

Items 48 through 51 were zoning items.

Items 52 through 54 were public hearings.

Items 55 through 57 were pulled for discussion.

- 58. Airport Advisory Commission
 Steven Morales appointment Alvarez

- Center for Mexican American Cultural Arts Board
 Tina Fernandez Consensus
 Gloria Andrus Consensus
 Maria Martin Consensus
 Donato Rodriguez Consensus

- Downtown Commission
 Teresa Rabago re-appointment (Historic Landmark) Consensus

Historic Landmark Commission

Teresa Rabago

re-appointment

Consensus

Human Rights Commission

Rich Bailey

re-appointment

Mayor

MBE/WBE

Jeffrey Benford

appointment

Consensus

Water & Wastewater

Lanetta Cooper

re-appointment

Griffith

59. Approval of minutes for the special called meeting of October 26, 2000.
The minutes for the Special Called meeting of October 26, 2000 were approved.

BRIEFINGS

2. Update on the City of Austin Pedestrian Plan development
The presentation was made by Peter Reick, Director, Public Works and Transportation and Linda DuPriest, Bicycle and Pedestrian Program Coordinator.

DISCUSSION ITEMS

8. Approve a resolution authorizing execution of a construction contract with HEYL CONSTRUCTION, LTD., Leander, Texas, for installation of a 16-inch diameter and 24-inch diameter water transmission main along Fallwell Lane, in an amount not to exceed \$865,627.80, and a contingency fund in an amount not to exceed \$43,281, for a total contract amount not to exceed \$908,908.80. (Funding is available in the 2000-01 Approved Capital Budget of the Electric Utility Department.) Lowest of eight bids received. 24.30% MBE and 8.43% WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 001109-08 was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Slusher was off the dais.
16. Approve a resolution authorizing execution of an eighty-four month lease renewal of 5,000 square feet of space located at 2139 W. Anderson Lane, from N V METRO IV LTD, Newport Beach, CA., for the North Village Branch Library, in an amount not to exceed \$655,000. (Funding in the amount of \$71,250.03 is available in the Fiscal Year 2000-2001 Operating Budget of the Library Department. Funding for the remaining seventy-five months of the original contract period is contingent upon available funding in future budgets.)
Resolution No. 001109-16 was approved on Council Member Alvarez' motion, Mayor Watson's second by a 7-0 vote.
20. Amend Sections 8-13-202 and 8-13-203 of the Austin City Code regarding limousine service requirements and rates of fare. (Recommended by Urban Transportation Commission)
Ordinance No. 001109-20 was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.
7. Approve a resolution authorizing execution of Change Order #1 to the construction contract with BRH-GARVER, INC., Houston, Texas, for installation of chilled water piping to serve the Plaza Lofts development and to address additional installation costs incurred due to changed conditions in the Chilled Water Distribution System for the CSC/City Hall District Cooling Project, in an amount not to exceed \$1,358,400, for a total contract amount not to exceed \$3,840,000. (Funding

is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) 24.87% MBE and 5.19% WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 001109-07 was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

22. Adopt the City of Austin Pedestrian Plan which sets forth policies to encourage walking as a viable mode of transportation, and to include sidewalks and other pedestrian facilities in the transportation system. (Approval of the Pedestrian Plan does not authorize the expenditure of funds.) (Recommended by Urban Transportation Commission; Park and Recreation Board made recommendation, Reviewed by Environmental Board and Planning Commission)
This item was postponed until November 30, 2000 at staff's request.
31. Approve a resolution authorizing negotiation and execution of a contract with KEYSTONE CONSTRUCTION, Austin, Texas, to provide the design, engineering, procurement, and installation of two reverse osmosis water treatment systems for the Holly and Decker Plants in an amount not to exceed \$2,000,000. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) Best evaluated proposal/two proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. Goals were established for this solicitation as follows: 8.6% MBE, 18.2% WBE. The recommended proposer will solicit additional MBE/WBE construction subcontractors after construction plans and specifications are complete. (Recommended by Electric Utility Commission)
Resolution No. 001109-31 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.
35. Approve amendment No. 1 to the contract with ANTHEM HEALTH & LIFE COMPANY (AH&L), Austin, Texas, to cover increased costs for basic, supplemental and dependent life insurance for employees and basic life for retirees in the amount of \$93,500 and increase the two twelve-month extension options in the amounts of \$162,600 and \$239,200 respectively for a total contract amount not to exceed \$4,107,300. (Funding is included in the 2000-2001 Operating Budget for the Employee Benefits Fund. Funding for the remaining extension options is contingent upon approval of future budgets.) The original contract was awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
Resolution No. 001109-35 was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.
36. Approve amendment No. 2 to the contract with HUMANA (formerly PCA) Austin, Texas, to cover increased plan year 2000 medical coverage payments for employees and retirees in an amount not to exceed \$1,560,000 and reduce the contract term to two years ending December 31, 2000, for a total contract amount not to exceed \$23,850,000. (Funding is included in the 2000-2001 Approved Operating Budget for the Employee Benefits Fund.) The original contract was awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
Resolution No. 001109-36 was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.
37. Approve amendment No. 3 to the contract with ERISA ADMINISTRATIVE SERVICES, INC. (ERISA), (MBE/MA), Austin, Texas, to cover increased costs for third party administrator services for the City Medical Plan to increase the first extension option in an amount not to exceed \$90,000 and increase the second extension option in an amount not to exceed \$180,000, for a total contract amount not to exceed \$4,166,154.40. (Funding is included in the 2000-2001 Approved Operating

Budget for the Employee Benefits Fund. Funding for the remaining extension option is contingent upon approval of future budget.) The original contract was awarded in compliance with the 1996 MBE/WBE Ordinance. Erisa Administrative Services, Inc. is certified by the City of Austin as a minority-owned business enterprise.

Resolution No. 001109-37 was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

The motion to recess the Council meeting at 11:34 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 1:37 p.m.

1:30 P.M. CITIZEN COMMUNICATIONS

46. Mary Lehmann – What Mueller leasing in entirety means for annual revenue.- **ABSENT**
47. Jose Quintero – The Injustice Process in a Community Neighborhood Plan (East, East Austin) - **ABSENT**
64. Gus Peña - 1. City needs to allocate funding for transitional housing. 2. Expedite housing initiatives especially transitional housing. - **ABSENT**
65. Jim Nias- 1106 San Antonio; Interim Development Controls. - **ABSENT**

The motion to recess the meeting at 1:38 p.m. and go into Executive Session was approved on Council Member Wynn's motion, Council Member Alvarez' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

60. Discuss legal issues concerning a proposed settlement agreement in *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, in the Travis County District Court, including terms and conditions relating to the development of property owned by Stratus Properties in the Circle C Ranch, Lantana, and Barton Creek developments. (This proposal concerns development regulations applicable in the Barton Springs Zone.)
61. Discuss *Northtown Municipal Utility District, et al. v. City of Austin*, Cause No. GV-002658, in the Travis County District Court
62. Discuss *Senna Hills, Ltd. v. City of Austin*, Cause No. GNO-02847, in the Travis County District Court

Mayor Watson announced that item #63 would also be discussed.

Executive session ended at 2:00 p.m.

Mayor Watson called to order the Special Called Board of Director's Meeting of the Austin Housing Finance Corporation at 2:04 p.m. See the separate minutes for this meeting.

Mayor Watson called the regular Council meeting back to order at 3:02 p.m.

DISCUSSION ITEMS CONTINUED

45. Approve an Ordinance repealing and replacing Article II of Chapter 2-4 of the City Code regarding the Austin Airport Advisory Commission. (Mayor Kirk Watson, Council Member Daryl Slusher and Council Member Beverly Griffith)
The motion to postpone this item indefinitely and send it back to the Airport Advisory Commission for review was approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second by a 7-0 vote.
63. Approve a resolution authorizing execution of a construction contract with MW BUILDERS, INC., Temple, Texas, for the main building and parking facility of the Town Lake Park Community Events Center and Parking Facility Project, in an amount not to exceed \$36,983,600 plus a contingency fund in an amount not to exceed \$1,849,180, for a total contract amount not to exceed \$38,832,780. (Funding in the amount of \$36,947,041 was included in the 2000-2001 Capital Budget of the Austin Convention Center Department; \$1,885,739 was included in the 1999-2000 Amended Capital Budget of the Electric Utility Department.) Lowest of seven bids received. 5.16% MBE, .14% WBE Subcontracting participation.
Resolution No. 001109-63 was approved directing the City Manager to direct MW Builders' to identify work that have not been committed already and work with the MBE and WBE Associations to increase minority participation in this contract on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote.

The motion to recess the meeting at 3:23 p.m. and go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Mayor Watson announced that Item #15 would be discussed.

The meeting was called back to order at 4:18 p.m.

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Alvarez' motion, Council Member Thomas' second by a 6-0 vote. Mayor Watson was off the dais.

48. C14-99-2004 - Travis Used Cars - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6114 East Riverside Drive from SF-3, Family Residence district zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions. Planning Commission Recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions for a portion of the property. Applicant: Travis Used Cars (Brad Joiner). City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 3/2/00, 3/9/00, 4/6/00 and 5/11/00)
This item was postponed until January 11, 2001 at the applicant's request.

49. C14-00-2170 -Austin Volleyball Center- Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 425 Woodward Street from LO-CO, Limited Office-Conditional Overlay Combining district zoning to LO, Limited Office, district zoning. Planning Commission Recommendation: To grant LO, Limited Office district zoning. Applicant: Travis County Council for the Deaf (Dr. Jerry Katz). City Staff: Adam Smith, 499-2755.
Ordinance No. 001109-49 was approved.
50. C14H-00-0010 – McClendon -Price House – Public Hearing to amend Chapter 25-5 of the Austin City Code by rezoning property locally known as 1606 Pearl Street from SF-3, Family Residence district zoning to SF-3-H, Family Residence-Historic Combining district zoning. Planning Commission Recommendation: To grant SF-3-H, Family Residence-Historic Combining district zoning. Historic Landmark Commission Recommendation: To grant SF-3-H, Family Residence-Historic Combining district zoning. Applicant: Patricia Price Monroe. City Staff: Barbara Stocklin, 499-2414.
Ordinance No. 001109-50 was approved.
51. C14H-00-0009 – Berner-Clark-Mercado House – Public Hearing to amend Chapter 25-5 of the Austin City Code by rezoning property locally known as 1807 East Cesar Chavez Street from CS, General Commercial Services district zoning to SF-3-H, Family Residence-Historic Combining district zoning. Planning Commission Recommendation: To grant CS-H, General Commercial Services-Historic Combining district zoning. Historic Landmark Commission Recommendation: To grant CS-H, General Commercial Services-Historic Combining district zoning. Applicant: Alberto and Norma Mercado. City Staff: Barbara Stocklin, 499-2414.
Ordinance No. 001109-51 was approved.

The motion to recess the meeting at 4:22 p.m. was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was off the dais.

Mayor Watson called the meeting back to order at 5:01 p.m.

DISCUSSION ITEMS CONTINUED

15. Consider a settlement in the *City of Austin v. Lumbermen's Investment Corporation*, Cause No. 99-13013, pending in the Travis County District Court (Sand Beach Reserve).
There was a motion to postpone this item for two weeks made by Council Member Thomas and seconded by Council Member Griffith.

A substitute motion directing the City Manager to negotiate and execute an agreement between the City of Austin and LIC group based on the details presented was approved on Council Member Wynn's motion, Mayor Watson's second on a 7-0 vote with the following friendly amendments:

- 1. On page 2, paragraph 2, eliminate the reference to the Metcalf survey line and instead identify the southern end by metes and bounds. This was accepted by the maker of the motion and Mayor Watson, who seconded the motion, as a friendly amendment.**
- 2. On page 4, paragraph 9, require LIC to work with the Design Commission on massing of the buildings to address the impact on parkland and along Lamar. This was accepted by the maker of the motion and Mayor Watson, who seconded the motion, as a friendly amendment.**

3. On page 3, paragraph 5, have a clause that allows the COA to get out of purchasing Union Pacific land if the price is excessive or it turns out that the land is not needed for parking for Seaholm. The Mayor clarified that this was already a part of the agreement.
4. On Page 4, paragraph 9, add a provision that in the case that the Seaholm District master plan is in conflict with the LIC proposal, both the COA and LIC will collaborate to resolve any design issues. This was accepted by the maker of the motion and Mayor Watson, who seconded the motion, as a friendly amendment.

Council Member Griffith made the following friendly amendments that were not accepted:

2. On page 5, paragraph 10, require that the total area for the new LIC access driveway take no more land than the vacated area of the existing legal driveways. The maker of the motion did not accept this as a friendly amendment. Council Member Griffith offered it as an amendment to the substitute motion. Mayor Pro Tem Goodman seconded the amendment. It failed on a 3-4 vote. Those voting nay were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. Those voting aye were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas.
6. On page 3, paragraph 6, change the provision on parking space from "no less than 125" to "No more than 125, as needed by Seaholm reuse." This was not accepted as a friendly amendment. Council Member Griffith did not offer it

An amendment to the substitute motion made by Mayor Pro Tem Goodman and seconded by Council Member Griffith that the City Manager negotiate an agreement by using a transcript of this meeting and bring an agreement back to the City Council for approval. failed on a 3-4. Those voting aye were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas. Those voting nay were: Mayor Watson and Council Members Alvarez, Slusher and Wynn.

The motion to recess the meeting at 6:41 p.m. was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

The meeting was called back to order at 7:35 p.m.

DISCUSSION ITEMS

52. Conduct a public hearing to approve a use agreement for approximately 2,360 square feet of right-of-way and 1,242 square feet of temporary use space to allow the construction of Barton Springs Road, Phase II through dedicated parkland known as Umlauf Sculpture Gardens, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with construction of the road as well as any parkland restoration will be paid by the Department of Public Works & Transportation.)
The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 4-0 vote. Mayor Watson and Council Members Thomas and Wynn were off the dais.
55. Approve a use agreement for approximately 2,360 square feet of right-of-way and 1,242 square feet of temporary use space to allow the construction of Barton Springs Road, Phase II through dedicated parkland known as Umlauf Sculpture Gardens, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with construction of the road as well as any parkland restoration will be paid by the Department of Public Works & Transportation.)

Resolution No. 001109-55 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 4-0 vote. Mayor Watson and Council Members Thomas and Wynn off the dais.

54. Conduct a public hearing on a request by Mr. Tariq Majeed to waive the minimum separation requirement of Section 8-3-4 of the City Code between Bluff Springs Food Mart, Inc., a food sales use which intends to sell alcoholic beverages at 700-A West William Cannon Drive and a public school use. Applicant: Jessie B. Anderson Shelby; Agent: Jim Bennett. City Staff: Susan Walker, 499-2202.

The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 4-0 vote. Mayor Watson and Council Members Thomas and Wynn were off the dais.

57. Consider a resolution regarding a request by Mr. Tariq Majeed to waive the minimum separation requirement of Section 8-3-4 of the City Code between Bluff Springs Food Mart, Inc., a food sales use which intends to sell alcoholic beverages at 700-A West William Cannon Drive and a public school use. Applicant: Jessie B. Anderson Shelby; Agent: Jim Bennett. City Staff: Susan Walker, 499-2202

Resolution No. 001109-57 was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was off the dais.

53. Conduct a public hearing regarding an appeal of the Planning Commission's decision to approve a conditional use permit for the Hyde Park Baptist Church Quarries Multi-Use Facility. The site is located at 4400 Mesa Woods Drive. File # SPC-99-2019A. The appeal is being made by Joseph Trybus, Tammi Klaco, Jennifer Kent, Diane Matzke, and Donna Kinney, Interested parties.

The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was off the dais.

The motion to re-consider this item to allow for rebuttal was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was off the dais.

The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was off the dais.

The motion to suspend the rules and continue the meeting past 10:00 p.m. was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Mayor Watson was off the dais.

56. Consider a resolution regarding an appeal of the Planning Commission's decision to approve a conditional use permit for the Hyde Park Baptist Church Quarries Multi-Use Facility. The site is located at 4400 Mesa Woods Drive. File # SPC-99-2019A. The appeal is being made by Joseph Trybus, Tammi Klaco, Jennifer Kent, Diane Matzke, and Donna Kinney, Interested parties.

A motion to deny the appeal with two provisions was made by Council Member Alvarez and seconded by Council Member Griffith. The provisions were to amend the conditional use permit to limit the use of the Mesa Woods Drive entrance to emergency access only once Phase I was completed and require Hyde Park Baptist Church to comply with all other provisions of the agreement.

A substitute motion to deny the appeal and let the agreement stand posed on City Manager Slusher's motion, City Manager Wynn's second by a 5-0 vote. Council Member Alvarez voted no. Mayor Watson was off the dais. Mayor Pro Tem Goodman asked the develop and

staff to meet with the neighbors who did not get to see the plan and explain the detail for them.

3. Discuss legal issues regarding labor negotiation with the Austin Police Association.
There was no action taken on this item.

The motion to adjourn the meeting at 11:03 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was off the dais.

The minutes for regular meeting of November 9, 2000 and Special Called Meeting of November 9, 2000 and November 13, 2000 were approved on Council Member Alvarez' motion, Council Member Wynn's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.